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**From:** Ian Stevelman <ian@bway.net>  
**Sent:** Thursday, May 22, 2014 10:33 AM  
**To:** NetworkChange  
**Cc:** bruce@newnetworks.com  
**Subject:** No. NCD-2353 Comments by Bway.net

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We Request that the FCC Deny Verizon New York's Section 251 Short Term Network Change.

We are filing this later than the deadline because the neither the FCC or Verizon made any attempt to inform competitors in New York City that Verizon was planning to shut off the copper wires. We see this as the start of a threat to close down the rest of the copper-based wires in our selling area and, as I will explain, Verizon is already violating the law by not making network services available to us in NYC, today.

We are joining New Networks in a request to halt Verizon's Section 251 short term network change and it impact our ISP business and all other competition to these customers.

My name is Ian Stevelman and I am the President of a small, independent, New York City-based ISP that was established in 1995. I was just informed by Bruce Kushnick at New Networks (and one of our longstanding clients) about Verizon New York' notification to close the copper wires in the Rockaways, which has 50,000 residents.

Bway will never be able to offer our service and supply needed choice for these customers for their internet and broadband services because we have been restricted from using the fiber optic wires.

In reading the New Networks comments and report we are appalled at what's going on.

First, Verizon had continually harmed our business, especially after Sandy or in 'FiOS areas'. I have documented proof that Verizon has been telling our customers and potential customers that they can not get copper wiring in areas that Verizon will some-day offer FiOS fiber-optic based services. And they have been allowing the condition of the copper networks to deteriorate to such an extent that it has harmed our small business, as well as our ability to provide the best service we can.

Is it legal for Verizon to not provide our current or potential clients with copper-based networks today in ALL areas of New York City?

That is why the FCC must, I repeat, must halt this 'under-the-radar' Section 251 'short term change as it will help to put us out of business.

And we ask the FCC to investigate our claims that Verizon is violating the law --

And it will get worse as we agree with New Networks that this is just the beginning-- when we hear from our customers or potential customers that there's 'no working copper' in areas where they are putting in fiber optics -- and we're not allowed to use the copper wires --

The FCC, as the agency dealing with broadband and internet issues had better examine this quickly before it does any more harm to our business, as well as all of the competitors, CLECs and ISPs in any area where FiOS is

I leave you with this quote from Verizon's CEO, from an article by Kushnick.

[http://www.huffingtonpost.com/bruce-kushnick/want-to-know-what-verizon-and-att-really-tell-their-investors\\_b\\_4640640.html](http://www.huffingtonpost.com/bruce-kushnick/want-to-know-what-verizon-and-att-really-tell-their-investors_b_4640640.html)

Lowell McAdam, Chairman and CEO of Verizon Communications, speaking at the Citi Global Internet Media and Telecommunications Conference in January 2013, said that Verizon's new "mantra" is "Don't fix the copper wires":

When we had the impact of Sandy, our mantra was you will not fix copper. So if copper got into any kind of a damaged situation and FiOS was in the vicinity, or we could run FiOS down an adjacent street and get into there, we would cut the copper out of service.

And why do it? Well, upselling -- that is, having the customers buy more products from the companies' own affiliates.

McAdam answered, "Now what is the reason we want to do that? Well, when a customer goes, even to FiOS digital voice, they very quickly see the difference on copper, and we have seen the ability to sell up."

Ian Stevelman  
President  
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